APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,841	08/28/2000	Michael Charles Raley	111325-000002	7876

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EXAMINER
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ART UNIT	PAPER NUMBER
2132	11

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _2-10_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed August 30, 2002 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the foreign patent document and other non-patent literature listed in the IDS form PTO-1449 have not been submitted. Applicant is advised that the date of any submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, on line 8 recites "a rights management module module..." which is an unclear statement. Appropriate correction is required.

Claims 6, in line 1 and claim 7, in line 2 recite "rights, management" which

is an unclear statement. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and are rejected under 35 U.S.C. 102(e) as being anticipated by

Downs et al. (6,226,618 B1; hereinafter Down).

Downs discloses a method of securely providing encrypted data to a

user's system (col. 3, lines 40-55; col. 6, lines 35-54). An authorized user who

has the right decryption key can decrypt the data. The encrypted data decryption

key is sent first to a clearinghouse. At the clearinghouse the encrypted data

decryption key is decrypted and re-encrypted using the user's public key and

then transferred to the user's system.

Claim 1

Downs discloses:

a server having at least one document stored thereon in computer

readable form (see, for example, col. 6, lines 35-54; col. 8, lines 55-67; Fig. 1D;

col. 68, lines 40-45);

a client having a standard application program including a rendering

engine capable of rendering unencrypted documents for viewing (see, for

example, col. 11, lines 30-53; col. 33, lines 63-67; col. 79, lines 13-18, where the

Internet or the web browser corresponds to the recited a standard application

program; col. 73, lines 12-20; col. 79, lines 47-50; Fig. 1D, item 198, where the

helper application corresponds to the recited rendering engine);

a communications network coupled to said client and said server (see, for

example, col. 6, lines 35-54);

a rights management module for receiving a request for at least one of the

documents from said client and delivering the at least one document and a set of

rights associated with the at least one document to said client (see, for example,

col. 6, line 65-col. 7, line 55; col. 11, lines 30-53);

a connection module adapted to be attached to said rendering engine for

receiving the list of rights associated with the at least one document (see, for

example, col. 11, lines 30-53; Fig. 1D, where the Player Application corresponds

to the recited a connection module and connected to the helper application of the

browser);

a user interface module adapted to be attached to said rendering engine

for controlling access by the client to the at least one document in accordance

with the set of rights associated with said at least one document (see, for

example, col. 6, lines 25-30; col. 7, lines 40-55; col. 47, lines 59-64).

Claim 2

Downs discloses:

A system as recited in claim 1, wherein said connection module is

operative to detect whether said user interface module is attached to said

rendering engine and for providing the at least one of the documents to said

rendering engine if said user interface module is attached to said rendering

Drive (see, for example, col. 11, lines 30-53; Fig. 1D).

Claim 3

Downs discloses:

A system as recited in claim 2, wherein said connection module is

operative to unencrypt the at least one of the documents (see, for example, Fig.

1D, item 195; Fig. 10, item 195; Fig. 15B, item 1505, where the Application

Player decrypts the received information).

Claim 4

Downs discloses:

A system as recited in claim 2, wherein said standard application program

is a Web browser and said server includes an HTTP server (see, for example,

Fig. 1D, item 191; col. 68, lines 35-45).

Claim 5

Downs discloses:

A system as recited in claim 4, wherein said connection module and said user interface module attach to the rendering engine of the Web browser using at least one of ActiveX controls and plug-in technology (see, for example, Fig. 1D; Fig. 15B; col. 79, lines 26-40; col. 86, lines 10-18).

Claim 6

Downs discloses:

A system as recited in claim 4, wherein said rights management module comprises means for pointing to a start Web page stored on said server, and means for encrypting said means for pointing and wherein said connection module comprises means for unencrypting said means for pointing and wherein said system further comprises means for generating a secure start Web page which references said connection module and said means for pointing (see, for example, col. 7, lines 10-40).

Claim 7

Downs discloses:

A system as recited in claim 4, wherein said connection module comprises means for generating a signature and said rights management module comprises means for validating the signature, and wherein a request to said server is honored only if the signature is present and valid (see, for example, col. 13, lines

50-67; col. 14, lines 28-32; col. 14, lines 55-60; col. 16, lines 23-45; col. 19, lines

20-29; col. 28; lines 25-30).

Claim 8

Downs discloses:

A method for distributing digital documents having one or more usage

rights associated therewith, said method comprising the steps of (col. 3, lines 40-

55; col. 6, lines 35-54):

storing at least one document on a server in computer readable form (see,

for example, col. 6, lines 35-54; col. 8, lines 55-67; Fig. 1D; col. 68, lines 40-45);

accessing the server with a client having a standard application program

including a rendering engine capable of rendering unencrypted documents (see,

for example, col. 11, lines 30-53; col. 33, lines 63-67; col. 79, lines 13-18, where

the Internet or the web browser corresponds to the recited a standard application

program; col. 73, lines 12-20; col. 79, lines 47-50; Fig. 1D, item 198, where the

helper application corresponds to the recited rendering engine);

receiving a request for at least one of the documents from the client (see,

for example, col. 6, line 65-col. 7, line55; col. 11, lines 30-53);

delivering the at least one of the documents and a set of rights associated

with the at least one of the documents to the client (see, for example, col. 6, line

65-col. 7, line55; col. 11, lines 30-53);

receiving the list of rights associated with the at least one of the

documents with a connection module attached to the rendering engine (see, for

example, col. 11, lines 30-53; Fig. 1D, where the Player Application corresponds

to the recited a connection module and connected to the helper application of the

browser);

controlling access by the client to the at least one of the documents in

accordance with the set of rights associated with the at least one of the

documents through a user interface module attached to the rendering engine

(see, for example, col. 6, lines 25-30; col. 7, lines 40-55; col. 47, lines 59-64).

Claim 9

Downs discloses:

A method as recited in claim 8, further comprising the step of unencrypting

the at least one of the documents (see, for example, Fig. 1D, item 195; Fig. 10,

item 195; Fig. 15B, item 1505, where the Application Player decrypts the

received information).

Claim 10

Downs discloses:

A method as recited in claim 8, further comprising the steps of detecting

whether the user interface module is attached to the rendering engine and

providing the at least one document to the rendering engine if the user interface

module is attached to the rendering drive (see, for example, col. 11, lines 30-53;

Fig. 1D).

Claim 11

Downs discloses:

A method as recited in claim 10, wherein said step of detecting further comprises determining whether said rendering engine has been compromised (see, for example, col. 80, lines 25-50, where the installed tamper resistant application on the end-user device corresponds to the recited determining whether said rendering engine has been compromised).

Claim 12

Downs discloses:

A method as recited in claim 10, wherein said standard application program is a Web browser and said server includes HTTP server software (see, for example, Fig. 1D, item 191; col. 68, lines 35-45).

Claim 13

Downs discloses:

A method as recited in claim 12, further comprising the steps of providing a pointer on the server to a start Web page stored on the server, encrypting the pointer, generating a secure start Web page on the server which references the pointer, providing access to the secure start Web page through the Web browser, and unencrypting the pointer on the client to provide the Web browser access to the start Web page on the server (see, for example, col. 7, lines 10-40).

Claim 14

Downs discloses:

A method as recited in claim 12, further comprising the steps of generating a signature with the client, transmitting the signature to the server with a request to the server, validating the signature with the server, and honoring the request only if the signature is present and valid (see, for example, col. 13, lines 50-67; col. 14, lines 28-32; col. 14, lines 55-60; col. 16, lines 23-45; col. 19, lines 20-29; col. 28; lines 25-30).

Claim 15

Downs discloses:

In a computer architecture including a server having documents stored thereon, a start page for accessing the documents, and a client running an application program having a rendering engine, a method of distributing documents comprising the steps of (see, for example, col. 3, lines 40-55; col. 6, lines 35-54; col. 8, lines 55-67; Fig. 1D, Fig. 15A, Box 1510; col. 68, lines 40-45, where the Box 1510 of Fig. 1A displays a start page):

installing a rights management module on the server (see, for example, col. 6, line 65-col. 7, line 55);

attaching a user interface module and a connection module to the rendering engine (see, for example, col. 11, lines 30-53; Fig. 1D; col. 79, lines 25-35; col. 83, lines 45-60, where the Player Application corresponds to the recited a connection module and connected to the helper application of the browser)

creating a secure start page on the server (see, for example, col. 26, lines 51-57; col. 75, lines 10-20);

placing the documents in directory (see, for example, col. 6, lines 45-49; col. 67, lines 60-62);

programming the rights management module to include a pointer to the directory (see, for example, col. 6, line 65-col. 7, line 55; col. 7, lines 10-40);

encrypting an address to the directory (see, for example, col. 6, lines 52-56; col. 7, lines 16-40)

modifying the secure interface display to reference the user interface module and the start page (see, for example, col. 33, lines 62-67, Fig. I5A, Box 1510; col. 68, lines 20-30; col. 73, lines 13-30, where the extracted metadata which is displayed corresponds to the recited start page); and

unencrypting the address to the directory with the connection module to permit access to the start page and the documents on the server (see, for example, col. 73, lines 13-30, where the extracted metadata which is displayed corresponds to the recited start page).

Claim 16

Downs discloses:

A method as recited in claim 15, wherein the server includes HTTP server software, wherein the application program is a Web browser, wherein the secure interface display is a secure start Web page and wherein the address to the directory is in the form of a URL (see, for example, Fig. 1D, item 191; col. 18, step 129; col. 26, lines 40-46; col. 68, lines 35-45).

Claim 17

Downs discloses:

A method as recited in claim 16, further comprising the steps of:

accessing the secure start Web page by issuing a URL to the start page

(see, for example, col. 26, lines 40-46; col. 28, lines 35-39);

directing the user interface module to the start page through the reference

to the start page in the secure start Web page (see, for example, Fig. 15A, Box

1510; col. 84, lines 4-20);

creating an instance of the rendering engine (see, for example, Fig. 16,

where the screen 1601 is a created instance of the rendering engine);

loading the start page in the instance of the rendering engine to display

the start page on the client (see, for example, Fig. 16, where the screen 1601 is

the start page displayed on the end-user device);

directing the instance of the rendering engine, under control of the user

interface module, to retrieve one or more of the documents from the server. (see,

for example, Fig. 16, where the screens 1602 and 1603 are the information (i.e.,

documents) retrieved through the user interface control).

Claim 18

Downs discloses:

A method as recited in claim 16, wherein said step of directing the

instance comprises the steps of intercepting commands from the Web browser

with the user interface module and redirecting the commands through the

connection module on the server (see, for example, col. 86, lines 10-18; Fig.

15B, where the interaction of different applications such as web browser and

user interface is depicted in order to access to the server that contains digital

content library 196).

Claim 19

Downs discloses:

A method as recited in claim 16, wherein said step of redirecting

comprises the steps of instructing the instance to utilize a secure asynchronous

protocol through the connection module (see, for example, col. 13, lines 27-33;

col. 86, lines 10-18; col. 79, lines 10-20; col. 81, lines 10-22).

Claim 20

Downs discloses:

A method as recited in claim 16, further comprising the steps of validating,

with the connection module, that the user interface module is attached to the

rendering engine and permitting the client to connect to the server only if the

validation step is positive (see, for example, col. 13, lines 50-67; col. 14, lines 28-

32; col. 14, lines 55-60; col. 16, lines 23-45; col. 19, lines 20-29; col. 28; lines 25-

30).

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US Patent No. 6,182,142 B1 to Win et al.

US Patent No. 6,298,446 B1 to Schreiber et al.

US Patent No. 6,006,332 to Rabne et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
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Examiner
Art Unit 2132

AN
August 5, 2004